



1636
Dkt. 0575/61545/JPW/PJP/BJA

Applicants: Reba Goodman et al.

Serial No.: 09/769,902

Examiner: D. M. Sullivan

Filed : January 25, 2001

Group Art Unit: 1636

For : A METHOD FOR REGULATING GENES WITH ELECTROMAGNETIC RESPONSE ELEMENTS

December 7, 2004

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

Transmitted herewith is an amendment to the above identified application.

X Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.

X No additional fee is required.

The filing fee is calculated as follows:

	NUMBER AFTER AMEND- MENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE				FEE	
							SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY	
Total Claims	5	-	20	=	0	X	\$9	\$18	=	0	0	
Indepen- dent Claims	3	-	3	=	0	X	\$43	\$86	=	0	0	
Multiple Dependent Claim(s) Presented <u> </u> Yes <u> X </u> No							\$145	\$290	=	0	0	
							TOTAL ADDITIONAL FEE					\$ 0

*If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

**If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

***If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0" in the space.

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Page 2

Amendment Transmittal Letter
Page Two

The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment of the number of claims as originally filed

____ Please charge Deposit Account No. 03-3125 in the amount of \$ _____. Three copies of this sheet is enclosed.

____ A check in the amount of \$ _____ is enclosed.

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposition Account No. 03-3125. Three copies of this sheet are enclosed.

X Any filing fees under 37 C.F.R. \$1.16 for the presentation of extra claims.

X Any patent application processing fees under 37 C.F.R. \$1.17.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

 12/7/04

Peter J. Phillips
Reg. No. 29,691

Date



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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1185 Ave of the Americas
New York, New York 10036
December 7, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT IN RESPONSE TO OCTOBER 20, 2004 OFFICE ACTION

This Amendment is submitted in response to an October 20, 2004 Office Action issued by the U.S. Patent and Trademark Office in connection with the above-identified application. A response to the October 20, 2004 Office Action is due January 20, 2005. Accordingly, this Amendment is being timely filed.

Please amend the subject application as follows: